

PROCEEDINGS OF THE HISTORIC CONSERVATION BOARD

MONDAY, OCTOBER 22, 2007

3:00 P.M., J. MARTIN GRIESEL ROOM, CENTENNIAL PLAZA II

The Historic Conservation Board met at 3:00 P.M., in the J. Martin Griesel Room, Centennial Plaza II, with members Chatterjee, Fisher, Kreider, Senhauser, Spraul-Schmidt, Raser and Young present. Absent: Wallace.

MINUTES

The Historic Conservation Board unanimously approved the minutes of the October 8, 2007 meeting (motion by Chatterjee, second by Fisher).

[Mr. Senhauser joined the meeting.]

CERTIFICATE OF APPROPRIATENESS & PRELIMINARY DESIGN REVIEW, CITY HOME CINCINNATI (PHASE ONE), 1400 BLOCK OF PLEASANT STREET, OVER-THE-RHINE HISTORIC DISTRICT

Staff member Adrienne Cowden presented an application for the rehabilitation of 1411, 1420 and 1422 Pleasant and the demolition of 1406, 1408 and 1410 Pleasant. She also presented an update on the design of townhouses to be constructed on five new parcels cleared by the demolition. This represents the first phase of City Home Cincinnati, a 30-unit residential development of new and rehabilitated buildings on Pleasant Street between 14th and 15th Streets.

Ms. Cowden reminded the Board that it had conducted a preliminary design review on this project in July 2007 and advised that the applicant on the new residences and documentation required to justify the demolitions. At that time the Board agreed that the 1408 and 1410 Pleasant had lost the majority of their defining features. Ms. Cowden said that the developer had presented additional documentation on the advanced deterioration of 1406 Pleasant and financial analysis indicating that none of the three buildings were economically viable. Staff recommended the Board find the demolitions to be a justifiable loss in the context of the new planned development.

[Mr. Kreider joined the meeting and swore in attendees who wished to address the Board.]

Ms. Cowden said that the designs of the two- and three- story townhouses had not changed substantially in form from those discussed at the preliminary design review. She also indicated that the subdivision plan for the building lots had not been evaluated by Buildings & Inspections and that zoning variances for lot size and setbacks would likely be required.

Co-developers Mary Burke of Over-the-Rhine Community Housing, Karen Blatt of Eber Development and architect Martha Dorff were present to answer questions from the Board regarding the new infill houses. Ms. Dorff presented the plans and elevations. She reviewed the new elevations and said that the new elevations incorporated changes in fenestration and materials suggested by the Board. She pointed out that the HVAC equipment had been placed on second level platforms over the garage doors, for lack of a better, more efficient location. The developers said that they have had further discussions with the Department of Transportation & Engineering regarding garage access from the narrow alleys and were making progress.

The Board was generally satisfied with the townhouse designs, though there was agreement that the new diamond windows on the front and rear elevations were no more successful than the ovals they replaced. Ms. Dorff said each was an attempt to bring some playfulness and visual relief to the project. Mr. Senhauser said that the design was simple and straightforward and an understandable and logical response to a limited budget.

Julie Fay, Main Street Merchants Association, and Debbie Mays, OTR Community Council joined the Board in lauding the developers' efforts to built modern, moderately-priced houses in the neighborhood.

BOARD ACTION

The Board voted unanimously (motion by Chatterjee, second by Spraul-Schmidt) to take the following actions:

1. Approve a Certificate of Appropriateness for the renovation of 1411, 1420 and 1422 Pleasant Street finding that the proposed work meets the Over-the-Rhine Historic District Conservation Guidelines with the following conditions:
 - a. No silicone sealant be utilized on the brick exterior walls.
 - b. The windows at 1422 Pleasant Street shall be reopened to their original dimensions.
2. Approve a Certificate of Appropriateness for the demolition of 1406, 1408 and 1410 Pleasant Street, finding that Schickel Design Company has submitted the necessary documentation to demonstrate that a reasonable economic return cannot be realized from the use of all or part of the buildings at these addresses, with the following conditions:
 - a. The buildings shall not be demolished until final designs and material selections for the new residences are submitted to and approved by the Historic Conservation Board.
 - b. The Certificate of Appropriateness shall be valid for a two-year period only starting from October 22, 2007.

**CERTIFICATE OF APPROPRIATENESS, HILLSIDE REVIEW & ZONING VARIANCES,
3742 SACHEM AVENUE, COLUMBIA TUSCULUM HISTORIC DISTRICT**

[Mr. Young and Mr. Senhauser recused themselves from this item.
Mr. Kreider recused himself and left the meeting.]

Staff member Adrienne Cowden presented the staff report on an application for a Certificate of Appropriateness and zoning variances for a new single-family residence on an open lot at 3742 Sachem Avenue. She reminded the Board that it had conducted a preliminary design review on this project in January 2007; the review was generally positive. Ms. Cowden summarized the project including materials selections. She indicated that the submitted drawings included further detail but had not changed fundamentally since January.

Ms. Cowden stated that a pre-hearing meeting had been held on October 11th. She circulated a letter received from the Columbia-Tusculum Community Council (CTCC) and another from adjacent property owners received after the staff report had been mailed. The motion made by the CTCC addressed the need for the applicant to receive the necessary approvals for stormwater management for the property prior to issuance of a building permit. Ms. Cowden said that the CTCC had not taken a position on the design of the proposed residence. The letter from Kevin and Anne Engemann (3761 Sachem), Andy Crain and Laura Dombek (3733 Sachem), Vince and Ann Stamp (3734 Sachem) and Carroll and Kathy Roberts (3749 Sachem) outlined various concerns relative to the design.

In response to Mr. Raser, Ms. Cowden responded that the house was sited to take into account existing historic development patterns, the hillside location and neighbor's views. She noted that moving the house back on the property to a 33' front yard setback required under the zoning code (when the average setback of historic homes was approximately 20') would not, in staff's opinion,

be in the interest of historic conservation and could negatively impact the hillside and previously discussed hydrology issues on the site.

Mr. Raser asked if the Board had purview over hydrology. Ms. Cowden indicated that the Board would review the drainage if the system selected by the applicant impacted the house design or was visible above the ground. Otherwise, review and approval of the drainage system would be undertaken by the Metropolitan Sewer District (MSD) and the Department of Buildings & Inspections as part of the building permit process.

Luke Robinson, project architect, and Remco deJong, property owner, were present to address the Board. Mr. Robinson stated that he had read through the Zoning Code, the Columbia-Tusculum Historic District conservation guidelines and the project file for the Drackett-Garber proposal (heard and approved by the Board in 2003) and designed the house accordingly. He said he sited the house with the 24' front yard setback approved for the Drackett-Garber project. The little sister/big sister footprint served as a bridge between the divergent setbacks of the historic and new buildings immediately adjacent to 3742 Sachem. Mr. Robinson said the project was designed to have the least impact on the hillside, to facilitate site drainage and to respect the views of uphill neighbors as determined by the Board's earlier approval.

Mr. Raser commented that the proposed design was detailed unlike its Victorian neighbors, that it more Tudor or Swiss Chalet in style. Mr. Robinson responded that he had not sought to emulate the style of neighboring buildings, but to be respectful of the massing, scale and materials of district without being replicative as suggested by the historic guidelines. He indicated that if the site were not in an historic district, he would have designed and sited the house differently.

Mr. Robinson observed that 24' was already a deep setback for Sachem Avenue. He felt a front yard setback of 33' was not in keeping with the development patterns of Sachem Avenue and would also create practical difficulties for the current design. Mr. deJong reminded the Board that the deep setbacks of the two modern houses downhill of his property were determined by deed restrictions unique to those properties.

Anne Engemann (3761 Sachem Avenue) said that she was not opposed to the new house, but that it should be more Victorian in character as was its neighbors.

Kimberly and Nick Markwald said that they had purchased their home at 3748 Sachem Avenue in October 2006 and had based their decision, in part, on the views of downtown and the river valley. Mr. Markwald contended that his views would be entirely blocked if Mr. deJong built his house with only a 24' front yard setback. He stated that this would negatively impact his quality of life and decrease his property's value. The Markwalds asked that the house be sited with a front yard setback of at least 33'. Minor cosmetic changes would bring the design in line with the neighborhood and adjacent historic buildings.

Upon inquiry of the Board, the Markwalds said they were not informed that the Board had approved a two-family residence at 3742 Sachem in 2003 nor were they aware that the previous owner of their property had unsuccessfully appealed the Board's decision to the Zoning Board of Appeals.

Mr. Raser observed that moving the proposed house back 10 additional feet would raise it up above the Markwalds and require it to be cut deeper into the hillside. Mr. Markwald said that this option was preferable to having his views blocked. Attorney Tom Tepe representing the Markwalds argued that the house should be designed to fit within the maximum building envelope and could be reduced both to meet the Zoning Code requirements and to preserve his client's views.

Andy Crain (3733 Sachem Avenue) and Carroll Roberts and Trudy Tuke (3749 Sachem Avenue) concurred with earlier statements made by the Markwalds and their attorney.

Tim Burke, representing Vince and Ann Stamp, circulated a legal memorandum to the Board. He stated that his client's primary concern was stormwater management and that the new development not negatively impact their property and home. Mr. Burke outlined the basis for his opinion that the Board had the legal authority to review stormwater drainage as a part of the application. He requested that the Board condition its approval on the submittal of a stormwater management plan for the site and that MSD accept this plan prior to the issuance of a building permit. Mr. Burke noted that the Board had imposed a similar condition on the previous project and asked that they do the same for Mr. DeJong's.

Mr. Stamp commented that he and his wife were not opposed to a new house being constructed at 3742 Sachem. Their primary concern was that the stormwater issue be addressed and resolved as early as possible. Mr. Stamp reiterated Mr. Burke's request that the Board require a stormwater management plan be approved before a building permit is issued. Mr. Stamp indicated that his comments relative to the design were outlined in the letter circulated to the Board earlier in the meeting. The Board agreed to add a condition to the staff recommendation requiring the applicant to submit a stormwater drainage plan for acceptable to MSD.

Mr. Robinson was given an opportunity to respond to the objectors. He said designed the deJong residence to conform to all the restriction imposed on the Mr. Garber in 2003 and to improve upon that design. He said that if he were required to move the house an additional 10 feet farther from the street, it would mean a complete redesign. Mr. Raser questioned whether the existing design could simply be modified. Mr. Robinson responded that he would have developed a completely different solution for a building set 33 feet back from the property line.

Mr. Robinson stated that his client had spoken with the Markwalds early in the process and that at both the pre-hearing meeting preceding this hearing and the various appearances before the Columbia Tusculum Community Council, the issue of views was never raised.

Board members discussed the issue of views before agreeing that additional visual information was needed to evaluate how much the new house would impact views from 3748 Sachem. Mr. deJong agreed to stake the front edge of the proposed house and to take additional photographs for the Board that would accurately illustrate the view from the Markwald's and the public way. The Markwalds indicated that Mr. deJong, staff and the Board were welcome to visit their property and take photographs as necessary.

BOARD ACTION

The Board voted unanimously (motion by Chatterjee, second by Raser) to table discussion of the application pending the submittal of additional photographs by the applicant.

Mr. Senhauser announced that the application would be taken up at the Board meeting on November 5, 2007.

DISCUSSION OF POTENTIAL DEMOLITION OF ROTHENBERG SCHOOL, OVER-THE-RHINE HISTORIC DISTRICT

Ms. Fisher reported that the Cincinnati Public Schools has announced that it is reconsidering its decision to restore and reopen the Rothenberg School in Over-the-Rhine. At a series of public meetings, CPS had indicated that the most recent estimates of the cost of rehabilitation substantially exceed earlier estimates and that it may not be economically feasible to reuse the school. Mr. Fisher

asked whether the Board would want to formally comment on the demolition of Rothenberg before November 13, the date it has tentatively set for its decision. It was agreed that the issue warranted more time than was available at this meeting.

It also introduced the larger issue of the Board's role in historic conservation in the City beyond its regulatory authority under the zoning code. Mr. Senhauser said that in the past, the Board had assumed a more active role in preservation issues through the Planning Department and that with the re-establishment of that department, it was an expeditious time to consider how it might again be more engaged in greater planning issues citywide. It was agreed that the Board would meet informally the week of October 29 to consider possibilities.

Mr. Forwood will contact the Board members to find a convenient time, arrange for a meeting room and file public notification.

ADJOURN

As there were no other items for consideration by the Board, the meeting adjourned.

William L. Forwood
Urban Conservator

John C. Senhauser
Chairman

Date: _____